

R E C O R D E D   S T A T E M E N T

Adjuster: My name is Heidi Kahlbaum. I'm employed with Frank Gates Acclaim. At the present time I am interviewing Mr. Bert Meyer at the Frank Gates Acclaim Conference Offices. This recording is being made on behalf of the employer which is Matson Terminals and its insurance carrier which is Signal Administration. This interview concerns a worker's compensation claim filed by Mr. Meyer for an injury that happened on or about October 1, 2002. Mr. Meyer, can you please state your full name and spell the last name.

Claimant: Bert Wayne Meyer. That's M-E-Y-E-R.

Adjuster: Okay. And Bert is B-E-R-T?

Claimant: Yes, ma'am.

Adjuster: Okay. And are you aware that this conversation is being recorded?

Claimant: Yes, I am.

Adjuster: Is it being done with your consent?

Claimant: Yes, it is.

Adjuster: And is it...um...I'm sorry. We need to, first of all, just verify...Um...I need to get your residence and mailing address.

Claimant: Okay. It's 91-1023 Lipo Street. That's L-I-P-O. That's in Kapolei. 96707.

Adjuster: 96707?

Claimant: Yes, ma'am.

Adjuster: Okay. And just for the record, today's date is Thursday, October 17, 2002 and the time is approximately 10:38 a.m. Okay. Mr. Meyer is the address both mailing and residence?

**EXHIBIT** E

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Claimant: Yes.

Adjuster: Okay. Do you remember, is it at the aisles that it is located?

Claimant: Yeah. It is between 15 and 16 on the catwalk.

Adjuster: Okay.

On the catwalk?

Claimant: Yeah.

Adjuster: Okay. So are you actually on the catwalk?

Claimant: Yes.

Adjuster: Okay. Okay. And you are clearing out the poles.

Claimant: Yeah.

Adjuster: And then what happened?

Claimant: Um... I was stepping over some rods and stuff and I guess the lock cover, everything was covered with pig urine and stuff over there, cause that's where the pigs were. So when I stepped on, um, I believe it's called the, the D rings but they were actually, we bolt the buckles too and then, um, I put my foot there cause I had to step over some rods and stuff and then when I went to put my weight on it, it just slid right into the hole.

Adjuster: Okay.

Claimant: Cause I didn't, I didn't realize that my left... I didn't realize there was a hole there. Cause I couldn't see anything.

Adjuster: Okay. And this is your, which foot?

Claimant: My left foot.

Adjuster: Okay. So your left foot was...?

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Adjuster:

Claimant:

Adjuster:

Claimant:

Adjuster:

Claimant:

Adjuster:

Claimant:

Adjuster:

Claimant: [Coughing.] Excuse me.

These containers are 45's so they stuck out to here.  
So like, I mean, basically this is, all the light you  
have is what's coming in through here.

Adjuster: Um.

Claimant: Which is very little. I mean it's only a space about  
that much.

Adjuster: Yeah. So 45's are the bigger containers?

Claimant: The longer containers

Adjuster: Oh.

Claimant: So they stuck out over the 40 foot, the 40's.

Adjuster: Oh, okay. And this is nighttime?

Claimant: Yes.

Adjuster: Do you think the lighting had anything to do?

Claimant: Maybe if it was daytime I would've seen the hole, but

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I couldn't see nothing.

Adjuster: Um...Oh.

Claimant: [Coughing]

Adjuster: And the light that is filtering through, is it from coming from, uh, they have light.

Claimant: Usually, um, where the crane is, uh, there are lights but the crane wasn't here yet.

Adjuster: Um-hm.

Claimant: There's no light.

Adjuster: Oh, okay. So it was kind of dark then.

Claimant: [Coughing] I believe somebody in the center section made a complaint about the lighting that night.

Adjuster: Okay. And then again there is a lashing equipment on the, on the catwalk?

Claimant: Yes.

Adjuster: Okay. So when you're, when this injury happened you're actually still on the catwalk, yeah?

Claimant: Yes.

Adjuster: Okay. And then there was a hole. Not a big hole though?

Claimant: Yeah. Well, you might want to put in parentheses "dock boards", cause they going to say what kind of catwalk. They call everything dock boards, but like I would say more of a catwalk.

Adjuster: Wait. Maybe dock walk, you said?

Claimant: Uh. They call it dock boards.

Adjuster: Dock boards?